

## ATTORNEY CALL SEES NEW LIGHT

Counsel for Government in Railroad Cases Rampant Against Bill.

HAS NUMEROUS OBJECTIONS

CONNECTING LINES OMITTED IN THE LAW.

Los Angeles, April 12.—Joseph G. Call, special counsel for the United States government in a number of important cases against the railroads in the southwest, in an interview today makes an attack upon the Hepburn railway rate bill, now pending in the senate, and says that, in his opinion, it will fail utterly to correct the abuses aimed at. Mr. Call is also special counsel for the interstate commerce commission and conducted the recent litigation in the supreme court of the United States on behalf of the citrus fruit growers of California against the transcontinental railroads to secure routing privileges and lower freight rates. Mr. Call said:

### No Benefit to Shippers.

"In my opinion the Hepburn-Dolliver bill, in its present form, is of no benefit to shippers. I predict that if it passes the senate in that form it will prove a great disappointment to all who look for benefit through the measure. I am sure that it is impossible to reduce exorbitant rates under the bill as it is now. It does not require any such amendments as those suggested in favor of the railroads to destroy its usefulness."

### Mr. Call's Objections.

Mr. Call's principal objections to the bill are that its provisions do not cover connecting railroads unless they have entered into a joint tariff; that the interstate commerce commission is not empowered to make any order or regulation except upon formal complaint; that section four of the bill ostensibly authorizes the commission after hearing to establish through routes and joint rates, but in conditions annexed takes away that power; that the bill fails to provide that any person can sue a common carrier for damages arising from the commerce act in the district where the railroad runs, but requires the plaintiff to sue in the district where the principal office of the corporation may be, which in nearly every case would probably be at some distant point. Mr. Call points out many other alleged defects in the proposed law which he avers will render its operation nugatory.

## HOME INVADIED BY DEATH

Mrs. Gertrude Porter of Rexburg, Ida., Has Passed Away.

(Special to The Herald.)

Rexburg, Ida., April 12.—Mrs. Gertrude Porter, wife of Arthur Porter, Jr., died on Tuesday morning at 4 a. m. The deceased leaves a husband and three small children to mourn her loss. The husband is a member of the Ricks academy faculty. The students and teachers of that institution held a service for her on Wednesday forenoon, at which the instructors expressed their heartfelt sympathy for the grief-stricken family. Resolutions of respect to the memory of the departed lady were adopted. The husband and mother were drawn up by the teachers and students and read at the meeting and later presented to the bereaved family. At the close of the meeting the students and teachers marched down to the home of Instructor Porter and viewed the remains.

In the afternoon funeral services were held at the new First ward cemetery house, which was filled. The academy choir sang appropriate hymns. Teachers and prominent citizens spoke of the noble character that never complained and always spoke well of her friends and neighbors. The remains were taken to Logan for interment on the southwest passenger train Wednesday evening. Logan is the old home of both Mr. and Mrs. Porter.

## BEATEN AND ROBBED.

San Francisco Racing Man Roughly Used by Highwaymen.

San Francisco, April 12.—Charles Carson, well known among racing men, was called to the door of his room in the Ashworth hotel early this morning by two well dressed men. He opened a third man standing in the hall. In an instant the two men who had knocked entered the room, placed black masks over their faces and, producing revolvers, commanded Carson to hold up his hands. He tried to call for help, but was grasped by the throat and severely beaten on the head. He fell to the floor unconscious and was quickly robbed of \$50 in cash, a watch worth \$60 and some jewelry. The robbers made their escape before Carson fully recovered consciousness.

## EMPEROR PERFORMS ANCIENT CEREMONY

Vienna, April 12.—Emperor Francis Joseph today as usual carried out the ancient ceremony of Maundy Thursday by washing the feet of twelve aged men, who were on this occasion all nonagenarians, their united ages being 1,096 years. The ceremony took place in the large hall of the Hofburg before a large gathering of archdukes, diplomats and state officials.

### MILK DIET

Not So Good as a Better.

A merchant in a thriving interior town writes:

"I can recommend Grape-Nuts food to all, whether well or sick, as a preventive of, or a cure for many ailments."

"For about six years I was unable to be in the store much of the time. I was suffering from gastritis and constipation, which confined me to the house part of the time and at last put me to bed and kept me there for almost a year. I ran down in weight from 150 to 80 pounds, trying to live on a milk diet. But I could seldom retain that, nor anything else of any account, on my stomach."

"The doctors finally gave me up; then a friend advised me to change my food and use Grape-Nuts food and Postum Food coffee. I followed his advice and watched results."

"I commenced to get well at once, and in the first eight months I gained forty pounds. The gastritis and constipation left me in a very short time, and in the six years that have followed I have enjoyed the best of health and attended regularly to my business. I eat Grape-Nuts every day, and usually make my entire breakfast off a few spoonfuls of it and a cup or two of Postum Food Coffee." Name given by Postum Co., Battle Creek, Mich.

There's a reason. Read the "Little Book," "The Road to Wellville," in pkgs.

## LUKE'S METHODS ARE UNDER FIRE

City Employee Charges Fraud in Collection and Garnishment Proceedings.

HE WANTS HIS MONEY BACK

ALLEGES SNAP JUDGMENT BY MAN WHO COLLECTS BILLS.

Francis G. Luke, and his collection agency, the Merchants' Protective association, are vigorously attacked in a complaint filed in the district court yesterday by Robert Roden, an employee of the board of public works. Roden sues to compel the restitution to him of his salary for March, which, he alleges, was turned over to Luke as the result of irregular garnishment proceedings. The money collected was alleged to be owing the Nephri Co-Operative Mercantile & Manufacturing institution.

In beginning his complaint Roden alleges that "it is generally known that, in the pursuit of collecting bills due and alleged to be due, Luke and his associates have been and now are in the habit of suing on accounts in irregular ways and in unexpected courts, and by the use of various deceptive ways and methods."

### Sued Him at Murray.

In August, 1905, Roden alleges, the Nephri firm put an alleged bill against him, amounting to \$254.80, in Luke's hands to "collect the same in ways that were known to be peculiar to the said Luke and to the said Merchants' Protective association." Luke sued him before a justice of the peace at Murray, and he appeared by filing an affidavit denying the jurisdiction of the court and pleading the statute of limitations as to the debt itself.

Roden alleges that the next he heard of the matter was in March last, when his wages were garnished on a purported judgment rendered by a justice of the peace at Nephri. He declares that he was never served with any process from the Nephri justice court, and that he had no knowledge that suit had been instituted there against him.

Notwithstanding that, he says, City Auditor Rudolph Alf paid over to Luke \$56 then owing him by the city, in a subsequent garnishment proceeding, the auditor paid over to Sheriff Emery \$64 last Wednesday. He charges that the garnishment papers themselves were defective, in addition to the fact that he was not served in the original action.

Judge Morse issued an order directing Luke and the Nephri company to show cause on April 21 why they should not return to Roden the money collected under the garnishment proceedings.

### Another Luke Case.

Eber Case, another man from whom Luke is attempting to collect a bill, applied to Judge Morse yesterday for a writ of prohibition to restrain the collection of the judgment. It was rendered by former Justice P. McOmie of Murray, and Case alleges irregularity or service and several other defects in the proceedings. Judge Morse issued an alternative writ of prohibition against C. E. Durand, McOmie's successor, directing him to proceed to enforce collection of the judgment pending a hearing in the district court.

### CONVICT SEEKS RELEASE.

Edwin J. Mullin's Case Argued Before Judge Armstrong.

The application of Edwin J. Mullin, for a writ of habeas corpus to release him from the penitentiary, was argued before Judge Armstrong yesterday, and the decision will be rendered this morning. Mullin was sentenced by the federal court, April 21, 1905, to serve the years in the penitentiary for robbing the Springfield postoffice. While in the penitentiary he attempted to escape, and was caught. He was taken before Judge Morse in the district court and sentenced to three and one-half years for attempting to escape. His original sentence had expired and he is now serving the sentence imposed by Judge Morse.

Mullin's contention is that, inasmuch as he was serving a sentence for a federal offense when he attempted to escape, the district court had no jurisdiction to sentence him for the attempted escape, and that the state law in question does not apply to federal prisoners.

### ATTACKS THE JUDGMENT.

Leonidas Skliris Says He Doesn't Owe Debt He Was Sued Upon.

Leonidas Skliris yesterday sued out a temporary restraining order preventing the Gies-American Mercantile company from collecting by garnishment proceedings a judgment for \$26.35. The money was owing the St. Mark's Hospital association, and was assigned to the Gies-American company, which has garnished the Bingham Copper & Gold Mining company and the United States Mining company to collect money owing by these companies to Skliris.

Skliris alleges that the original judgment was secured against Louis Skliris, that he himself was never served with papers in the action, and that he does not owe the money.

### Court Notes.

Judge Morse is engaged in hearing the case of Alice Bube, trustee in bankruptcy for the estate of Brigham Sellers vs. George P. Bettis et al, for an accounting of a copartnership.

Frank Evans, Frank Garrard, Stephen Eds and James Moore were arraigned before Judge Armstrong yesterday charged with assaulting and robbing W. S. Henderson of a stickpin and a watch a few weeks ago. Eds and Moore were also arraigned on a charge of robbing Frank Tomlinson. All pleaded not guilty.

### METEOROLOGICAL REPORT.

Yesterday's Record at the Local Office of the Weather Bureau.

Maximum temperature, 48; minimum temperature, 27; mean temperature, 42, which is five degrees below normal; accumulated deficiency of temperature since the first of the month, 33 degrees; accumulated deficiency of temperature since January 1, 43 degrees. Total precipitation from 8 p. m. to 8 p. m., .01 inches; accumulated excess of precipitation since the first of the month, .70 inches; accumulated excess of precipitation since January 1, 1.94 inches.

## EMPEROR EXPRESSES REGARD FOR STORER

Vienna, April 12.—Emperor Francis Joseph this afternoon privately received the retiring American ambassador, Bellamy Storer. The emperor congratulated Mr. Storer on the excellent relations he had established with the Austro-Hungarian foreign ministry and assured him that he was leaving many cordial friends in Vienna. The emperor also expressed his personal regret at Mr. Storer's departure.

### BARING SUCCEEDS MACKAY.

New York, April 12.—At the office of the Equitable Trust company of New York it was stated today that Hugh Baring has been elected a trustee of that company, succeeding Clarence H. Mackay, resigned.

## Perfect Woman



You may have the Beauty of Perfect Health

The perfect woman is the woman who has perfect health. Beauty is more than skin deep. Beauty is as deep as pure blood and a perfect digestion. Especially is female beauty dependent on the perfect health of the delicate female organism.

If you wish to have the beauty and attractiveness of perfect health, if you wish your eyes to sparkle, your complexion to resume its brilliancy, and your whole body to thrill with the glow of renewed vitality, take that famous woman's medicine,

## Lydia E. Pinkham's Vegetable Compound

If you have headaches, backache, organic pains, painful or irregular periods, or any female trouble, begin with Lydia E. Pinkham's Vegetable Compound at once. It will save you needless suffering. It will restore your womanly beauty.

DEAR MRS. PINKHAM:—Lydia E. Pinkham's Vegetable Compound cured me of a severe and protracted case of female trouble. After the birth of my child this trouble began, but your Compound restored me to perfect health. My little girl is now six years old, and I am a perfectly well woman, and as happy as a mother could desire to be. I give the entire credit to Lydia E. Pinkham's Vegetable Compound.

Mrs. S. R. BECKMAN, Cor. Murphy Ave. and Whitehall St., Atlanta, Ga.

No woman, were she a Venus de Milo, could continue beautiful with a dragging down female complaint. Mrs. Pinkham invites all sick women to write to her for advice. For twenty-five years, Mrs. Pinkham, daughter-in-law of Lydia E. Pinkham, has under her direction, and since her decease, been advising sick women free of charge.

Lydia E. Pinkham's Vegetable Compound Cures Where Others Fail

## WHEN A MAN

Wishes a suit quickly and wants to be sure it will be right in every detail, Alfred Benjamin & Co. Clothing is

## WHEN A MAN

Doesn't want to risk the mistakes that all tailors make and wants to wear the best tailoring on earth, then Alfred Benjamin & Co.'s Clothing is

## WHEN A MAN

Wants the broadest variety of suits to select from, exclusive patterns and expert assistance, Poulton Madsen, Owen & Co. is

## Alfred Benjamin & Co.

Instead of reaching out for cheap popularity, have brought their clothing to that high stage of perfection which appeals to the man who wishes the best.

There are many other makes of clothing—some good, some fair, some bad—but Alfred Benjamin & Co.'s is distinguished from these by many radical differences.

## Poulton, Madsen, Owen & Co.

111-113 Main St.

"Where the Clothes Fit."



**Preston Flour**

In the kitchen means GOOD BREAD In the dining room.

PRESTON MILLING CO.  
Preston, Idaho.

**Hamlin Paints and he does.**

**I WILL Guarantee**

that's what Hamlin says.

BOTH PHONES.

**You, Who Are Slaves to Coffee,**

Should study the physical effect of beer as a beverage.

The malt of pure beer has definite food value and tones the entire system.

## FISHER BEER

is rich in malt and, served with meals, exerts a soothing, nourishing effect.

PINTS OR QUARTS.

### A. Fisher Brewing Co.

Salt Lake City      Telephones 265

**GODBE-PITTS**

PRESCRIPTION DRUGGISTS.

101 SOUTH MAIN STREET.

Wherever there's Pain

There is the place for an

## Alcock's PLASTER

The Standard External Remedy

ESTABLISHED 1864

## F. Auerbach & Bro.

ONE PRICE TO ALL. NEVER UNDERSOLD

## Your Easter Hat Is Ready



Buy it here and have the satisfaction of knowing that you have secured the best hat at the best price, that you have secured an exclusive style and one you will be pleased with, always. We are now showing hundreds of the most exclusive styles in hats copied from all the celebrated milliners of the world.

### Approach of Easter Emphasizes Need of the New Suit and Coat.

It is self-evident that those who can, should buy at once and not put off purchasing until the last hurried days. With this word of counsel we invite attention to the following attractive offerings.

Showing of Tailored Suits at \$22.50.


Every suit in the lot worth \$27.50 and up to \$30, extra special at—

**\$22.50**

These beautiful suits are made of fine broadcloth, Panama and best quality English worsteds, in reseda green, old rose, pearl gray, red, black and pretty checks.

A great display of new taffeta silk coats, 42 to 48 in. long, loose back and front, finished with handsome cape collar, full length or elbow sleeves, or lined, 10 different styles to choose from, some worth \$17.50 and up to \$25 your choice—

**\$14.75**



## MOVING!

### SICKLE, The Jeweler

Will move from his old stand 75 East 2nd So. St. TO 233 MAIN STREET SOUTH OF KENYON HOTEL.

EVERY ARTICLE BELOW COST AT THE OLD STORE FOR THE NEXT THREE DAYS.

## THE Acme

Quality Kind

PAINTS, ENAMEL, STAINS, VARNISHES,

### Culmer Paint & Glass Co.

20 EAST FIRST SOUTH.



Easter Greetings

Are You Ready With Your SHOES?

They Are Here For You.



DON'T TAKE CHANCES.

A good correction of defective sight is often spoiled by poorly ground lenses.

The best lenses made—TORISCUS—The Columbian special lens. Curves around the eye.

KRYPTOK—The only invisible Bifocal. We are sole agents.

### Columbian Optical Co

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Stores: Denver, Kansas City, Omaha, Portland, Dallas.

### CHAMBERLAIN MUSIC CO.

51-52 MAIN STREET

Has the largest and best stock of Pianos in Utah to show you. Our prices are the lowest. Come and see us.

### Clayton Music Co.

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